

**EIGHTY-THIRD GENERAL ASSEMBLY  
2010 REGULAR SESSION  
DAILY  
HOUSE CLIP SHEET**

MARCH 2, 2010

**HOUSE FILE 2193**

**H-8288**

1 Amend House File 2193 as follows:

2 1. By striking everything after the enacting clause  
3 and inserting:

4 <Section 1. Section 85.36, subsection 9, paragraph  
5 a, Code 2009, is amended to read as follows:

6 a. In computing the compensation to be allowed  
7 a volunteer fire fighter, emergency medical care  
8 provider, reserve peace officer, volunteer ambulance  
9 driver, ~~volunteer emergency rescue technician as~~  
10 ~~defined in section 147A.1, or emergency medical~~  
11 ~~technician trainee~~, the earnings as a fire fighter,  
12 emergency medical care provider, reserve peace officer,  
13 ~~or volunteer ambulance driver, volunteer emergency~~  
14 ~~rescue technician, or emergency medical technician~~  
15 ~~trainee~~ shall be disregarded and the volunteer fire  
16 fighter, emergency medical care provider, reserve peace  
17 officer, ~~or volunteer ambulance driver, volunteer~~  
18 ~~emergency rescue technician, or emergency medical~~  
19 ~~technician trainee~~ shall be paid an amount equal  
20 to the compensation the volunteer fire fighter,  
21 emergency medical care provider, reserve peace officer,  
22 ~~or volunteer ambulance driver, volunteer emergency~~  
23 ~~rescue technician, or emergency medical technician~~  
24 ~~trainee~~ would be paid if injured in the normal  
25 course of the volunteer fire fighter's, emergency  
26 medical care provider's, reserve peace officer's,  
27 ~~or volunteer ambulance driver's, volunteer emergency~~  
28 ~~rescue technician's, or emergency medical technician~~  
29 ~~trainee's~~ regular employment or an amount equal to one  
30 hundred and forty percent of the statewide average  
31 weekly wage, whichever is greater.

32 Sec. 2. Section 85.61, subsection 2, paragraph a,  
33 Code 2009, is amended to read as follows:

34 a. A person, firm, association, or corporation,  
35 state, county, municipal corporation, school  
36 corporation, area education agency, township as  
37 an employer of volunteer fire fighters, ~~volunteer~~  
38 ~~emergency rescue technicians~~, and emergency medical  
39 care providers only, benefited fire district, and the  
40 legal representatives of a deceased employer.

41 Sec. 3. Section 85.61, subsection 7, paragraph b,  
42 Code 2009, is amended to read as follows:

43 b. Personal injuries sustained by ~~volunteer~~  
44 ~~emergency rescue technicians or emergency medical care~~  
45 ~~providers as defined in section 147A.1~~ arise in the  
46 course of employment if the injuries are sustained at  
47 any time from the time the ~~volunteer emergency rescue~~  
48 ~~technicians or emergency medical care providers~~ are  
49 summoned to duty until the time those duties have been  
50 fully discharged.

**H-8288**

1 Sec. 4. Section 85.61, subsection 11, paragraph  
2 a, subparagraph (2), Code 2009, is amended to read as  
3 follows:

4 (2) An emergency medical care provider as defined  
5 in section 147A.1, ~~a volunteer emergency rescue~~  
6 ~~technician as defined in section 147A.1, or a volunteer~~  
7 ~~ambulance driver, or an emergency medical technician~~  
8 ~~trainee~~, only if an agreement is reached between  
9 such worker or employee and the employer for whom  
10 the volunteer services are provided that workers'  
11 compensation coverage under this chapter and chapters  
12 85A and 85B is to be provided by the employer. An  
13 emergency medical care provider ~~or volunteer emergency~~  
14 ~~rescue technician~~ who is a worker or employee under  
15 this subparagraph is not a casual employee. "Volunteer  
16 ambulance driver" means a person performing services  
17 as a volunteer ambulance driver at the request  
18 of the person in charge of a fire department or  
19 ambulance service of a municipality. ~~"Emergency~~  
20 ~~medical technician trainee" means a person enrolled~~  
21 ~~in and training for emergency medical technician~~  
22 ~~certification.~~

23 Sec. 5. Section 100B.31, subsection 3, paragraph b,  
24 Code Supplement 2009, is amended to read as follows:

25 b. A person performing the functions of an  
26 emergency medical care provider ~~or emergency rescue~~  
27 ~~technician~~ as defined in section 147A.1 who was not  
28 paid full-time by the entity for which such services  
29 were being performed at the time the incident giving  
30 rise to the death occurred.

31 Sec. 6. Section 147A.1, subsection 4, Code  
32 Supplement 2009, is amended to read as follows:

33 4. "Emergency medical care provider" means  
34 an individual trained to provide emergency and  
35 nonemergency medical care at the ~~first responder,~~  
36 ~~EMT basic, EMT intermediate, EMT paramedic~~  
37 ~~level,~~ emergency medical responder, emergency medical  
38 technician, advanced emergency medical technician,  
39 paramedic, or other certification levels adopted  
40 by rule by the department, who has been issued a  
41 certificate by the department.

42 Sec. 7. Section 147A.1, subsections 6, 8, and  
43 9, Code Supplement 2009, are amended by striking the  
44 subsections.

45 Sec. 8. Section 147A.1, Code Supplement 2009, is  
46 amended by adding the following new subsections:

47 NEW SUBSECTION. 11. "Service program" or  
48 "service" means any medical care ambulance service or  
49 nontransport service that has received authorization  
50 from the department under section 147A.5.

1 NEW SUBSECTION. 12. "Training program" means an  
2 Iowa college approved by the north central association  
3 of colleges and schools or an Iowa hospital authorized  
4 by the department to conduct emergency medical care  
5 services training.

6 Sec. 9. Section 147A.2, Code 2009, is amended to  
7 read as follows:

8 147A.2 Council established -- terms of office.

9 1. An EMS advisory council shall be appointed  
10 by the director. Membership of the council shall  
11 be comprised of individuals nominated from, but  
12 not limited to, the following state or national  
13 organizations: Iowa osteopathic medical association,  
14 Iowa medical society, American college of emergency  
15 physicians, Iowa physician assistant society, Iowa  
16 academy of family physicians, university of Iowa  
17 hospitals and clinics, American academy of emergency  
18 medicine, American academy of pediatrics, Iowa  
19 EMS association, Iowa firemen's association, Iowa  
20 professional firefighters, EMS education programs  
21 committee, ~~EMS regional council,~~ Iowa nurses  
22 association, Iowa hospital association, and the Iowa  
23 state association of counties. The council shall also  
24 include a member-at-large who is an emergency medical  
25 care provider.

26 2. The EMS advisory council shall advise the  
27 director and develop policy recommendations concerning  
28 the regulation, administration, and coordination of  
29 emergency medical services in the state.

30 Sec. 10. Section 147A.4, Code Supplement 2009, is  
31 amended to read as follows:

32 147A.4 Rulemaking authority.

33 1. a. The department shall adopt rules required  
34 or authorized by this subchapter pertaining to the  
35 operation of ~~ambulance, rescue, and first response~~  
36 ~~services~~ service programs which have received  
37 authorization under section 147A.5 to utilize the  
38 services of certified emergency medical care providers.  
39 These rules shall include but need not be limited  
40 to requirements concerning physician supervision,  
41 necessary equipment and staffing, and reporting by  
42 ~~ambulance, rescue, and first response services~~ service  
43 programs which have received the authorization pursuant  
44 to section 147A.5.

45 b. The director, pursuant to rule, may grant  
46 exceptions and variances from the requirements of  
47 rules adopted under this subchapter for any ~~ambulance,~~  
48 ~~rescue, or first response~~ service program. Exceptions  
49 or variations shall be reasonably related to undue  
50 hardships which existing services experience in

1 complying with this subchapter or the rules adopted  
2 pursuant to this subchapter. ~~However, no exception or~~  
3 ~~variance may be granted unless the service adopted a~~  
4 ~~plan approved by the department prior to July 1, 1996,~~  
5 ~~to achieve compliance during a period not to exceed~~  
6 ~~seven years with this subchapter and rules adopted~~  
7 ~~pursuant to this subchapter.~~ Services requesting  
8 exceptions and variances shall be subject to other  
9 applicable rules adopted pursuant to this subchapter.

10 2. The department shall adopt rules required  
11 or authorized by this subchapter pertaining to the  
12 examination and certification of emergency medical  
13 care providers. These rules shall include, but  
14 need not be limited to, requirements concerning  
15 prerequisites, training, and experience for emergency  
16 medical care providers and procedures for determining  
17 when individuals have met these requirements. The  
18 department shall adopt rules to recognize the  
19 previous EMS training and experience of ~~first~~  
20 ~~responders and emergency medical technicians to~~  
21 ~~provide for an equitable transition to the EMT basic~~  
22 ~~certification~~ emergency medical care providers  
23 transitioning to the emergency medical responder,  
24 emergency medical technician, advanced emergency  
25 medical technician, and paramedic levels. The  
26 department may require additional training and  
27 examinations as necessary and appropriate to ensure  
28 that individuals seeking ~~certification~~ transition to  
29 another level have met the EMT basic knowledge and  
30 skill requirements. All requirements for transition  
31 to another level, including fees, shall be adopted by  
32 rule.

33 3. The department shall establish the fee for the  
34 examination of the emergency medical care providers  
35 to cover the administrative costs of the examination  
36 program.

37 4. The department shall adopt rules required  
38 or authorized by this subchapter pertaining to the  
39 operation of training programs. These rules shall  
40 include but need not be limited to requirements  
41 concerning curricula, resources, facilities, and staff.

42 Sec. 11. Section 147A.5, subsections 1 and 3, Code  
43 2009, are amended to read as follows:

44 1. ~~An ambulance, rescue, or first~~  
45 ~~response~~ A service program in this state that  
46 desires to provide emergency medical care in the  
47 out-of-hospital setting shall apply to the department  
48 for authorization to establish a program for delivery  
49 of the care at the scene of an emergency, during  
50 transportation to a hospital, during transfer from

1 one medical care facility to another or to a private  
2 residence, or while in the hospital emergency  
3 department, and until care is directly assumed by a  
4 physician or by authorized hospital personnel.

5 3. The department may deny an application for  
6 authorization, or may impose a civil penalty not to  
7 exceed one thousand dollars upon, place on probation,  
8 suspend, or revoke the authorization of, or otherwise  
9 discipline a service program with an existing  
10 authorization if the department finds reason to  
11 believe the service program has not been or will not  
12 be operated in compliance with this subchapter and the  
13 rules adopted pursuant to this subchapter, or that  
14 there is insufficient assurance of adequate protection  
15 for the public. The authorization, denial, ~~or~~ civil  
16 penalty, period of probation, suspension, or  
17 revocation, or other disciplinary action shall be  
18 effected and may be appealed as provided by section  
19 17A.12.

20 Sec. 12. Section 147A.6, Code 2009, is amended to  
21 read as follows:

22 147A.6 Emergency medical care provider certificates  
23 -- renewal.

24 1. The department, upon application and receipt  
25 of the prescribed fee, shall issue a certificate to  
26 an individual who has met all of the requirements  
27 for emergency medical care provider certification  
28 established by the rules adopted under section 147A.4,  
29 subsection 2. All fees and civil penalties received  
30 pursuant to this section and sections 147A.5, 147A.7,  
31 and 147A.17 shall be deposited in the emergency medical  
32 services fund established in section 135.25.

33 2. Emergency medical care provider certificates  
34 are valid for the multiyear period determined by the  
35 department, unless sooner suspended or revoked. The  
36 certificate shall be renewed upon application of  
37 the holder and receipt of the prescribed fee if the  
38 holder has satisfactorily completed continuing medical  
39 education programs as required by rule.

40 3. If the certificate holder fails to complete  
41 the required continuing education prior to the time  
42 of renewal, the certificate holder may request a  
43 forty-five day extension. Request for extension must  
44 be submitted to the department prior to the expiration  
45 date and include a fifty dollar extension fee. The  
46 certificate may be renewed only during that forty-five  
47 day period on submission of a completed renewal  
48 application, and payment of applicable renewal fee.

49 Sec. 13. Section 147A.7, Code 2009, is amended to  
50 read as follows:

1 147A.7 Denial, suspension, or revocation of  
2 certificates -- other disciplinary action -- hearing --  
3 appeal.

4 1. The department may deny an application for  
5 issuance or renewal of an emergency medical care  
6 provider certificate or may impose a civil penalty  
7 not to exceed one thousand dollars upon, place on  
8 probation, or suspend or revoke the certificate of,  
9 or otherwise discipline the certificate holder when  
10 it finds that the applicant or certificate holder is  
11 guilty of any of the following acts or offenses:

12 a. Negligence in performing authorized services.

13 b. Failure to follow the directions of the  
14 supervising physician.

15 c. Rendering treatment not authorized under this  
16 subchapter.

17 d. Fraud in procuring certification.

18 e. Professional incompetency.

19 f. Knowingly making misleading, deceptive, untrue  
20 or fraudulent representation in the practice of a  
21 profession or engaging in unethical conduct or practice  
22 harmful or detrimental to the public. Proof of actual  
23 injury need not be established.

24 g. Habitual intoxication or addiction to the use of  
25 drugs.

26 h. Fraud in representations as to skill or ability.

27 i. Willful or repeated violations of this  
28 subchapter or of rules adopted pursuant to this  
29 subchapter.

30 j. Violating a statute of this state, another  
31 state, or the United States, without regard to its  
32 designation as either a felony or misdemeanor, which  
33 relates to the practice of an emergency medical care  
34 provider. A copy of the record of conviction or plea  
35 of guilty is conclusive evidence of the violation.

36 k. Having certification to practice as an emergency  
37 medical care provider revoked or suspended, or having  
38 other disciplinary action taken by a licensing or  
39 certifying authority of another state, territory, or  
40 country. A certified copy of the record or order of  
41 suspension, revocation, or disciplinary action is  
42 conclusive or prima facie evidence.

43 1. Other acts or offenses as specified by rule.

44 2. A determination of mental incompetence by a  
45 court of competent jurisdiction automatically suspends  
46 a certificate for the duration of the certificate  
47 unless the department orders otherwise.

48 3. A denial, civil penalty, period of  
49 probation, suspension, or revocation under this  
50 section shall be effected, and may be appealed in



1 accordance with the rules of the department established  
2 pursuant to chapter 272C.

3 Sec. 14. Section 147A.8, Code Supplement 2009, is  
4 amended to read as follows:

5 147A.8 Authority of certified emergency medical care  
6 provider.

7 ~~1.~~ An emergency medical care provider properly  
8 certified under this subchapter may:

9 ~~a.~~ 1. Render emergency and nonemergency medical  
10 care, rescue, and lifesaving services in those areas  
11 for which the emergency medical care provider is  
12 certified, as defined and approved in accordance  
13 with the rules of the department, at the scene of an  
14 emergency, during transportation to a hospital or while  
15 in the hospital emergency department, and until care  
16 is directly assumed by a physician or by authorized  
17 hospital personnel.

18 ~~b.~~ 2. Function in any hospital or any other entity  
19 in which health care is ordinarily provided only when  
20 under the direct supervision, as defined by rules  
21 adopted pursuant to chapter 17A, of a physician, when  
22 the emergency care provider is any of the following:

23 ~~-(1)~~ a. Enrolled as a student or participating  
24 as a preceptor in a training program approved by the  
25 department, ~~or~~ or an agency authorized in another state  
26 to provide initial EMS education and approved by the  
27 department.

28 ~~-(2)~~ b. Fulfilling continuing education  
29 requirements as defined by rule, ~~or~~ .

30 ~~-(3)~~ c. Employed by or assigned to a hospital  
31 or other entity in which health care is ordinarily  
32 provided only when under the direct supervision of a  
33 physician, as a member of an authorized ~~ambulance,~~  
34 ~~rescue, or first response service program,~~ or in  
35 an individual capacity, by rendering lifesaving  
36 services in the facility in which employed or assigned  
37 pursuant to the emergency medical care provider's  
38 certification and under the direct supervision of a  
39 physician, physician assistant, or registered nurse.  
40 An emergency medical care provider shall not routinely  
41 function without the direct supervision of a physician,  
42 physician assistant, or registered nurse. However,  
43 when the physician, physician assistant, or registered  
44 nurse cannot directly assume emergency care of the  
45 patient, the emergency medical care provider may  
46 perform without direct supervision emergency medical  
47 care procedures for which that individual is certified  
48 if the life of the patient is in immediate danger and  
49 such care is required to preserve the patient's life,  
50 ~~or~~ .

1     ~~(4)~~ d. Employed by or assigned to a hospital  
2 or other entity in which health care is ordinarily  
3 provided only when under the direct supervision of a  
4 physician, as a member of an authorized ~~ambulance,~~  
5 ~~rescue, or first response~~ service program, or in  
6 an individual capacity, to perform nonlifesaving  
7 procedures for which those individuals have been  
8 certified and are designated in a written job  
9 description. Such procedures may be performed after  
10 the patient is observed by and when the emergency  
11 medical care provider is under the supervision of the  
12 physician, physician assistant, or registered nurse,  
13 including when the registered nurse is not acting in  
14 the capacity of a physician designee, and where the  
15 procedure may be immediately abandoned without risk to  
16 the patient.

17     ~~2. Nothing in this subchapter shall be construed~~  
18 ~~to require any voluntary ambulance, rescue, or first~~  
19 ~~response service to provide a level of care beyond~~  
20 ~~minimum basic care standards.~~

21     Sec. 15. Section 147A.11, Code 2009, is amended to  
22 read as follows:

23     147A.11 Prohibited acts.

24     1. Any person not certified as required by this  
25 subchapter who claims to be an emergency medical care  
26 provider, or who uses any other term to indicate or  
27 imply that the person is an emergency medical care  
28 provider, or who acts as an emergency medical care  
29 provider without having obtained the appropriate  
30 certificate under this subchapter, is guilty of a class  
31 "D" felony.

32     2. An owner of an unauthorized ~~ambulance, rescue,~~  
33 ~~or first response~~ service program in this state who  
34 operates or purports to operate an ~~ambulance, rescue,~~  
35 ~~or first response~~ a service program, or who uses any  
36 term to indicate or imply authorization without having  
37 obtained the appropriate authorization under this  
38 subchapter, is guilty of a class "D" felony.

39     3. Any person who imparts or conveys, or causes  
40 to be imparted or conveyed, or attempts to impart  
41 or convey false information concerning the need  
42 for assistance of an ~~ambulance, rescue, or first~~  
43 ~~response~~ a service program or of any personnel or  
44 equipment thereof, knowing such information to be  
45 false, is guilty of a serious misdemeanor.

46     Sec. 16. Section 147A.12, subsection 1, Code 2009,  
47 is amended to read as follows:

48     1. This subchapter does not restrict a registered  
49 nurse, licensed pursuant to chapter 152, from  
50 staffing an authorized ~~ambulance, rescue, or first~~



1 ~~response~~ service program provided the registered  
2 nurse can document equivalency through education and  
3 additional skills training essential in the delivery of  
4 out-of-hospital emergency care. The equivalency shall  
5 be accepted when:

6 a. Documentation has been reviewed and approved  
7 at the local level by the medical director of the  
8 ~~ambulance, rescue, or first response~~ service program in  
9 accordance with the rules of the board of nursing  
10 developed jointly with the department.

11 b. Authorization has been granted to that  
12 ~~ambulance, rescue, or first response~~ service program by  
13 the department.

14 Sec. 17. Section 147A.13, Code 2009, is amended to  
15 read as follows:

16 147A.13 Physician assistant exception.  
17 This subchapter does not restrict a physician  
18 assistant, licensed pursuant to chapter 148C, from  
19 staffing an authorized ~~ambulance, rescue, or first~~  
20 ~~response~~ service program if the physician assistant  
21 can document equivalency through education and  
22 additional skills training essential in the delivery of  
23 out-of-hospital emergency care. The equivalency shall  
24 be accepted when:

25 1. Documentation has been reviewed and approved  
26 at the local level by the medical director of the  
27 ~~ambulance, rescue, or first response~~ service program in  
28 accordance with the rules of the board of physician  
29 assistants developed after consultation with the  
30 department.

31 2. Authorization has been granted to that  
32 ~~ambulance, rescue, or first response~~ service program by  
33 the department.

34 Sec. 18. NEW SECTION. 147A.17 Applications for  
35 emergency medical care services training programs --  
36 approval or denial -- disciplinary actions.

37 1. An Iowa college approved by the north central  
38 association of colleges and schools or an Iowa hospital  
39 in this state that desires to provide emergency medical  
40 care services training leading to certification as an  
41 emergency medical care provider shall apply to the  
42 department for authorization to establish a training  
43 program.

44 2. The department shall approve an application  
45 submitted in accordance with subsection 1 when the  
46 department is satisfied that the program proposed by  
47 the application will be operated in compliance with  
48 this subchapter and the rules adopted pursuant to this  
49 subchapter.

50 3. The department may deny an application for

1 authorization or may impose a civil penalty not to  
2 exceed one thousand dollars upon, place on probation,  
3 suspend or revoke the authorization of, or otherwise  
4 discipline a training program with an existing  
5 authorization if the department finds reason to believe  
6 the program has not been or will not be operated  
7 in compliance with this subchapter and the rules  
8 adopted pursuant to this subchapter, or that there  
9 is insufficient assurance of adequate protection for  
10 the public. The authorization denial, civil penalty,  
11 period of probation, suspension, or revocation, or  
12 other disciplinary action shall be effected and may be  
13 appealed as provided by section 17A.12.

14 Sec. 19. Section 321.267A, subsection 5, Code 2009,  
15 is amended to read as follows:

16 5. For the purposes of this section, "other  
17 emergency responder" means a fire fighter certified  
18 as a fire fighter I pursuant to rules adopted under  
19 chapter 100B and trained in emergency driving or an  
20 emergency medical ~~responder~~ care provider certified  
21 under chapter 147A and trained in emergency driving.

22 Sec. 20. Section 724.6, subsection 2, Code  
23 Supplement 2009, is amended to read as follows:

24 2. Notwithstanding subsection 1, fire fighters,  
25 as defined in section 411.1, subsection 10, airport  
26 fire fighters included under section 97B.49B, ~~emergency~~  
27 ~~rescue technicians~~, and emergency medical care  
28 providers, as defined in section 147A.1, shall not,  
29 as a condition of employment, be required to obtain a  
30 permit under this section. However, the provisions of  
31 this subsection shall not apply to a person designated  
32 as an arson investigator by the chief fire officer of  
33 a political subdivision.>

**By** THOMAS of Clayton

HOUSE FILE 2399

H-8285

1 Amend the amendment, H-8274, to House File 2399 as  
2 follows:  
3 1. Page 1, by striking lines 15 and 16 and  
4 inserting <tariff filing made on or before December 31,  
5 2013, the reasonable>  
6 2. Page 1, line 26, after <period,> by inserting  
7 <which shall extend no more than thirty-six months in  
8 total,>  
9 3. Page 2, after line 2 by inserting:  
10 <\_\_\_\_. Page 1, by striking line 11 and inserting  
11 <facilities, or the significant alteration of an  
12 existing generating facility as provided in subsection  
13 1, shall be implemented>>  
14 4. Page 2, by striking lines 8 through 12  
15 and inserting <of the electric power generating  
16 facility, or alternate energy production facility,>  
17 5. Page 2, by striking lines 19 and 20 and  
18 inserting <facility with a nameplate generating>  
19 6. Page 2, line 24, after <476.42> by inserting  
20 <, or to significantly alter an existing generating  
21 facility>  
22 7. Page 3, line 14, after <state,> by inserting  
23 <permitting all rate-regulated public utilities to  
24 make significant alterations to an existing generating  
25 facility,>  
26 8. By renumbering as necessary.

By QUIRK of Chickasaw

H-8285 FILED MARCH 1, 2010

HOUSE FILE 2410

H-8278

1 Amend House File 2410 as follows:  
2 1. Page 1, after line 33 by inserting:  
3 <f. This subsection shall cease to be applicable  
4 if the United States food and drug administration  
5 and the national institutes of health study and  
6 find no significant difference in the equivalence  
7 of antiepileptic drugs. The board of pharmacy shall  
8 notify the Code editor of such finding.>

By SMITH of Marshall

H-8278 FILED MARCH 1, 2010

HOUSE FILE 2410

H-8279

1 Amend House File 2410 as follows:  
2 1. Page 1, by striking lines 15 through 18 and  
3 inserting <representative at the time the drug is  
4 dispensed.>

By SMITH of Marshall

H-8279 FILED MARCH 1, 2010

HOUSE FILE 2446

H-8282

1 Amend House File 2446 as follows:  
2 1. Page 1, before line 1 by inserting:  
3 <Section 1. Section 455B.301, subsection 21, Code  
4 2009, is amended to read as follows:  
5 21. "Sanitary disposal project" means all facilities  
6 and appurtenances including all real and personal  
7 property connected with such facilities, which are  
8 acquired, purchased, constructed, reconstructed,  
9 equipped, improved, extended, maintained, or operated  
10 to facilitate the final disposition of solid waste  
11 without creating a significant hazard to the public  
12 health or safety, and which are approved by the  
13 executive director. For purposes of this part 1  
14 of division IV, "sanitary disposal project" does  
15 not mean facilities and appurtenances containing  
16 building-related construction debris and demolition  
17 materials.>  
18 2. By renumbering as necessary.

By HORBACH of Tama

H-8282 FILED MARCH 1, 2010

HOUSE FILE 2462

H-8289

1 Amend the amendment, H-8218, to House File 2462 as  
2 follows:  
3 1. Page 1, by striking lines 2 through 7 and  
4 inserting:  
5 <\_\_\_\_. Page 1, by striking lines 13 through 15.>  
By STRUYK of Pottawattamie KELLEY of Black Hawk  
HUSER of Polk PETTENGILL of Benton

H-8289 FILED MARCH 1, 2010

HOUSE FILE 2462

H-8297

1 Amend the amendment, H-8157, to House File 2462 as  
2 follows:  
3 1. Page 1, by striking lines 2 through 12 and  
4 inserting:  
5 <\_\_\_\_. Page 1, lines 11 and 12, by striking <, and  
6 computer software>>  
7 2. By renumbering as necessary.

By RAECKER of Polk

H-8297 FILED MARCH 1, 2010

HOUSE FILE 2473

H-8284

1 Amend House File 2473 as follows:  
2 1. Page 1, after line 31 by inserting:  
3 <Sec. \_\_\_\_\_. Section 716.7, subsection 2, Code 2009,  
4 is amended by adding the following new paragraph:  
5 NEW PARAGRAPH. f. Entering upon or in property  
6 that is under consideration for condemnation by an  
7 acquiring agency, as defined in section 6B.1, but prior  
8 to the commencement of eminent domain proceedings under  
9 chapter 6A or 6B, without the express permission of the  
10 owner, lessee, or person in lawful possession.>  
11 2. By renumbering as necessary.

By WATTS of Dallas

H-8284 FILED MARCH 1, 2010

HOUSE FILE 2481

H-8300

1 Amend House File 2481 as follows:  
2 1. Page 28, after line 15 by inserting:  
3 <Sec. \_\_\_\_\_. DEER LICENSE STUDY.  
4 1. The legislative services agency shall prepare a  
5 study to determine the economic impact of increasing  
6 the number of antlered and antlerless deer hunting  
7 licenses available for sale to nonresidents who own  
8 Iowa farmland.  
9 2. To the extent practicable, the study shall  
10 estimate the potential revenue to the state by  
11 increasing the number of such licenses and shall  
12 estimate the impact on the deer population.  
13 3. The legislative services agency shall submit  
14 the results of the study to the legislative council by  
15 January 1, 2011.>  
16 2. By renumbering as necessary.

By PETTENGILL of Benton  
HANSON of Jefferson

H-8300 FILED MARCH 1, 2010

H-8281

1 Amend House File 2492 as follows:

2 1. Page 5, line 9, by striking <subparagraph (3),  
3 Code Supplement 2009, is> and inserting <subparagraphs  
4 (3) and (5), Code Supplement 2009, are>

5 2. Page 5, after line 27 by inserting:

6 <(5) Resident pupils receiving competent private  
7 instruction from a licensed practitioner provided  
8 through a public school district pursuant to chapter  
9 299A shall be counted as three-tenths of one pupil.

10 Revenues received by a school district attributed to a  
11 school district's weighted enrollment pursuant to this  
12 paragraph shall be expended for the purpose for which  
13 the weighting was assigned under this paragraph. If  
14 the school district determines that the expenditures  
15 associated with providing competent private instruction  
16 pursuant to chapter 299A are in excess of the  
17 revenue attributed to the school district's weighted  
18 enrollment for such instruction in accordance with this  
19 subparagraph, the school district may submit a request  
20 to the school budget review committee for modified  
21 allowable growth in accordance with section 257.31,  
22 subsection 5, paragraph "n". A home school assistance  
23 program shall not provide moneys received pursuant to  
24 this subparagraph, nor resources paid for with moneys  
25 received pursuant to this subparagraph, to parents or  
26 students utilizing the program. Moneys received by a  
27 school district pursuant to this subparagraph shall be  
28 used as provided in section 299A.12.>

29 3. Page 17, after line 35 by inserting:

30 <Sec. \_\_\_\_\_. NEW SECTION. 299A.12 Home school  
31 assistance program.

32 1. The board of directors of a school district  
33 may expend moneys received pursuant to section 257.6,  
34 subsection 1, paragraph "a", subparagraph (5), for  
35 purposes of providing a home school assistance program.

36 2. Purposes for which a school district may expend  
37 funds received pursuant to section 257.6, subsection 1,  
38 paragraph "a", subparagraph (5), shall include but not  
39 be limited to the following:

40 a. Assisting parents with instruction.

41 b. Student and teaching-parent support services and  
42 staff support services.

43 c. Salary and benefits for the supervising teacher  
44 of the home school assistance program students. If the  
45 teacher is a part-time home school assistance program  
46 teacher and a part-time regular classroom teacher,  
47 funds received pursuant to section 257.6, subsection  
48 1, paragraph "a", subparagraph (5), may be used only  
49 for the portion of time in which the teacher is a home  
50 school assistance program teacher.

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1 d. Salary and benefits for clerical and office  
2 staff of the home school assistance program. If  
3 the staff members are shared with other programs  
4 or functions within the district, funds received  
5 pursuant to section 257.6, subsection 1, paragraph  
6 "a", subparagraph (5), shall only be expended for  
7 the portion of time spent providing the home school  
8 assistance program services.

9 e. Staff development for the home school assistance  
10 program teacher.

11 f. Travel for the home school assistance program  
12 teacher.

13 g. Resources, materials, computer software and  
14 hardware, and supplies, and purchased services that  
15 meet the following criteria:

16 (1) Are necessary to provide the services of home  
17 school assistance.

18 (2) Are retained as the possessions of the school  
19 district for its prekindergarten through grade twelve  
20 home school assistance program.

21 3. Purposes for which a school district shall  
22 not expend funds received pursuant to section 257.6,  
23 subsection 1, paragraph "a", subparagraph (5), include  
24 but are not limited to the following:

25 a. Indirect costs or use charges.

26 b. Operational or maintenance costs in addition to  
27 the cost of maintaining school district facilities.

28 c. Capital expenditures.

29 d. Student transportation except in cases of home  
30 school assistance program-approved field trips or other  
31 educational activities.

32 e. Administrative costs.

33 f. Concurrent enrollment program costs and  
34 postsecondary enrollment options program costs.

35 g. Any other expenditures not directly related to  
36 providing the home school assistance program. A home  
37 school assistance program shall not provide moneys to  
38 parents or students utilizing the program.>

39 4. By renumbering as necessary.

**By** KELLEY of Black Hawk

H-8298

1 Amend House File 2494 as follows:

2 1. Page 2, line 17, by striking <is a practicing>  
3 and inserting <as an obstetrician or>

4 2. Page 2, by striking lines 23 through 25 and  
5 inserting <midwives; and two members who shall  
6 represent the general public and who are not licensed  
7 as a midwife, physician, or nurse.>

8 3. Page 3, line 8, after <periods> by inserting <,  
9 including newborn care up to six weeks,>

10 4. Page 3, line 22, by striking <2011> and  
11 inserting <2012>

12 5. Page 3, line 26, after <shall> by inserting  
13 <meet minimum education requirements and>

14 6. Page 3, line 32, after <resuscitation.> by  
15 inserting <Applicants must also hold a certified  
16 professional midwife credential issued by the north  
17 American registry of midwives or any other nationally  
18 accredited credential as specified by the board. If  
19 an applicant has been subject to prior revocation of a  
20 license to practice medicine or nursing, the applicant  
21 is not eligible for licensure under this chapter,  
22 unless the applicant makes a satisfactory appeal to the  
23 board.

24 In reviewing applications, the board may request,  
25 at the applicant's expense, that the department of  
26 public safety perform a criminal history check and  
27 the department of human services perform child and  
28 dependent adult abuse record checks of the applicant.  
29 If an applicant has a criminal record or a record of  
30 founded child or dependent adult abuse, the board shall  
31 perform an evaluation to determine whether the record  
32 warrants denial of licensure.>

33 7. Page 4, after line 3 by inserting:

34 <Sec. \_\_\_\_\_. NEW SECTION. 148F.3A Insurance.

35 If the board determines that liability insurance is  
36 available at an affordable price to licensed midwives,  
37 the board may mandate such coverage by rule. Until  
38 that time, a licensed midwife shall provide each  
39 client with a disclosure statement indicating that the  
40 midwife does not have liability insurance as provided  
41 in section 148F.5.>

42 8. Page 4, line 16, after <midwife,> by inserting  
43 <as specified in section 148F.2,>

44 9. Page 4, by striking lines 25 through 28.

45 10. Page 4, line 33, by striking <shall> and  
46 inserting <may>

47 11. Page 5, by striking lines 6 through 13 and  
48 inserting:

49 <3. In establishing rules, the board shall reflect  
50 the knowledge and skills identified by the north

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1 American registry of midwives' current job description  
2 for the profession and the standards of practice of  
3 midwifery established by the national association  
4 of certified professional midwives or a successor  
5 organization.>

6 12. Page 5, line 16, after <information> by  
7 inserting <, in a manner determined by the board by  
8 rule,>

9 13. Page 6, line 4, by striking <2011> and  
10 inserting <2012>

11 14. Page 6, by striking lines 13 through 21.

12 15. Page 7, line 16, by striking <2011> and  
13 inserting <2012>

14 16. By renumbering as necessary.

**By MASCHER of Johnson**

**H-8298** FILED MARCH 1, 2010

**HOUSE FILE 2499**

**H-8280**

1 Amend **House File 2499** as follows:

2 1. Page 1, after line 17 by inserting:

3 <Sec. \_\_\_\_\_. Section 331.608, subsection 6, paragraph  
4 e, Code Supplement 2009, is amended to read as follows:

5 e. When otherwise required by a department or  
6 agency of the federal or state government or a  
7 political subdivision. The recorder shall make these  
8 records available to the department of veterans affairs  
9 and the county commission of veteran affairs. For  
10 records recorded before, on, or after the effective  
11 date of this Act, the recorder shall provide a copy of  
12 each such record to the county commission of veteran  
13 affairs and to the department of veterans affairs.  
14 Copies of records recorded before the effective date of  
15 this Act shall be provided not later than January 1,  
16 2011. For records recorded on or after the effective  
17 date of this Act, such copies shall be provided within  
18 thirty days of recording. The department of veterans  
19 affairs and its employees and the county commission of  
20 veteran affairs and its employees shall be subject to  
21 the same state and federal confidentiality restrictions  
22 and requirements that are imposed on the recorder.>

23 2. Title page, line 1, after <Act> by inserting  
24 <relating to veterans records by requiring county  
25 recorders to provide copies of certain records to  
26 the department of veterans affairs and the county  
27 commission of veteran affairs and by>

28 3. By renumbering as necessary.

**By CHAMBERS of O'Brien**

**H-8280** FILED MARCH 1, 2010

HOUSE FILE 2502

H-8292

- 1 Amend House File 2502 as follows:
- 2 1. By striking page 15, line 26, through page 16,
- 3 line 9.
- 4 2. By renumbering as necessary.

By PETTENGILL of Benton  
DRAKE of Cass

H-8292 FILED MARCH 1, 2010

HOUSE FILE 2502

H-8294

- 1 Amend House File 2502 as follows:
- 2 1. Page 13, lines 25 and 26, by striking <for
- 3 members in regular service>
- 4 2. Page 13, line 27, by striking <one-half one> and
- 5 inserting <one-half>

By PETTENGILL of Benton  
DRAKE of Cass

H-8294 FILED MARCH 1, 2010

HOUSE FILE 2502

H-8295

- 1 Amend House File 2502 as follows:
- 2 1. By striking page 23, line 35, through page 25,
- 3 line 26.
- 4 2. Page 26, line 22, by striking <ADVISORY
- 5 COMMITTEE> and inserting <BOARD>
- 6 3. Page 26, line 23, by striking <benefits advisory
- 7 committee> and inserting <board of trustees>
- 8 4. Page 26, lines 24 and 25, by striking <, as
- 9 enacted by this division of this Act,>
- 10 5. Page 26, lines 32 and 33, by striking <benefits
- 11 advisory committee> and inserting <board of trustees>
- 12 6. By renumbering as necessary.

By PETTENGILL of Benton  
DRAKE of Cass

H-8295 FILED MARCH 1, 2010

HOUSE FILE 2503

H-8286

1 Amend House File 2503 as follows:  
2 1. Page 3, by striking lines 2 and 3 and inserting  
3 <of trust fund moneys distributed to any one account  
4 established>  
5 2. Page 3, after line 10 by inserting:  
6 <1. A description of public hearings and meetings  
7 required to be conducted pursuant to subchapter  
8 II, any results that impacted upon departmental  
9 decision-making, and a plan for conducting public  
10 hearings and meetings in the following year.>  
11 3. Page 3, line 11, by striking <1.> and inserting  
12 <2.>  
13 4. Page 3, line 16, by striking <2.> and inserting  
14 <3.>  
15 5. Page 4, by striking lines 32 through 35 and  
16 inserting:  
17 <a. The establishment, restoration, or enhancement  
18 of state parks, state preserves, wildlife areas,  
19 wildlife habitats, native prairies, and wetlands.>  
20 6. By renumbering as necessary.

**By** BELL of Jasper

H-8286 FILED MARCH 1, 2010

H-8276

1 Amend the amendment, S-5072, to Senate File 2088,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. By striking page 1, line 3, through page 22,  
5 line 31, and inserting:

6 <\_\_\_\_. Page 1, after line 31 by inserting:

7 <Oe. Network services, including equipment and  
8 software which support local area networks, campus  
9 area networks, wide area networks, and metro area  
10 networks. Network services also include data network  
11 services such as routers, switches, firewalls, virtual  
12 private networks, intrusion detection systems, access  
13 control, internet protocol load balancers, event  
14 logging and correlation, and content caching. Network  
15 services do not include services provided by the Iowa  
16 communications network pursuant to chapter 8D or by  
17 the public broadcasting division of the department of  
18 education.>

19 \_\_\_\_\_. Page 2, line 25, after <appointment.> by  
20 inserting <The chief information officer position is  
21 attached to the department of management.>

22 \_\_\_\_\_. Page 3, line 19, after <acquisition> by  
23 inserting <, utilization, or provision>

24 \_\_\_\_\_. Page 3, line 27, after <Whether the> by  
25 inserting <failure to grant a>

26 \_\_\_\_\_. Page 4, after line 12 by inserting:

27 <(7) Whether the failure to grant a waiver would  
28 jeopardize federal funding.>

29 \_\_\_\_\_. Page 4, after line 30 by inserting:

30 <d. A participating agency may appeal the decision  
31 of the chief information officer to the director within  
32 seven calendar days following the decision of the chief  
33 information officer. The director, after consultation  
34 with the technology advisory council, shall respond  
35 within fourteen days following the receipt of the  
36 appeal.>

37 \_\_\_\_\_. Page 4, after line 30 by inserting:

38 <e. The department of public defense, including  
39 both the military division and the homeland security  
40 and emergency management division, shall not be  
41 required to obtain any information technology services  
42 pursuant to this subchapter for the department of  
43 public defense or its divisions that is provided by the  
44 department pursuant to this chapter without the consent  
45 of the adjutant general.>

46 \_\_\_\_\_. Page 7, line 10, by striking <or other  
47 agencies>

48 \_\_\_\_\_. Page 7, after line 25 by inserting:

49 <g. Encourage participating agencies to utilize  
50 a print on demand strategy to reduce publication



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1 overruns, excessive inventory, and obsolete printed  
2 materials. >>  
3 2. Page 22, after line 46 by inserting:  
4 <\_\_\_\_. Page 35, line 29, after <agencies> by  
5 inserting <, except the department of public safety,>>  
6 3. Page 30, after line 3 by inserting:  
7 <Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
8 of this Act, being deemed of immediate importance,  
9 takes effect upon enactment. >>  
10 4. Page 36, line 4, after <state.> by inserting <A  
11 member of the state board shall not be a provider of  
12 services or other entity receiving funding through the  
13 early childhood Iowa initiative or be employed by such  
14 a provider or other entity.>  
15 5. Page 37, line 30, by striking <and data> and  
16 inserting <and data reporting requirements, applicable  
17 statewide,>  
18 6. Page 37, by striking lines 32 and 33 and  
19 inserting <boards. The data from common performance  
20 measures and other data shall be posted on the early  
21 childhood Iowa internet site and disseminated by other  
22 means and shall also be aggregated to provide statewide  
23 information.>  
24 7. Page 38, line 8, by striking <If> and inserting  
25 <Subject to the funding requirements and other  
26 requirements established in law, if>  
27 8. Page 38, line 9, by striking <shall> and  
28 inserting <may>  
29 9. Page 38, line 11, by striking <may> and  
30 inserting <shall>  
31 10. Page 39, lines 6 and 7, by striking  
32 <coordination center> and inserting <Iowa office>  
33 11. Page 39, line 13, by striking <Adopt> and  
34 inserting <Except for the fiscal oversight measures to  
35 be adopted by the department, adopt>  
36 12. Page 39, line 33, by striking <measurer> and  
37 inserting <measures>  
38 13. Page 39, line 44, by striking <center> and  
39 inserting <staff>  
40 14. By striking page 39, line 45, through page 40,  
41 line 18, and inserting:  
42 <1. The department shall provide administrative  
43 support for implementation of the early childhood Iowa  
44 initiative and for the state board. The department  
45 shall adopt rules in consultation with the state board  
46 to provide fiscal oversight of the initiative. The  
47 fiscal oversight measures adopted shall include but are  
48 not limited to all of the following:  
49 a. Reporting and other requirements to address the  
50 financial activities employed by area boards.

1 b. Regular audits and other requirements of fiscal  
2 agents for area boards.

3 c. Requirements for area boards to undertake  
4 and report on fiscal and performance reviews of the  
5 programs, contracts, services, and other functions  
6 funded by the area boards.

7 2. An early childhood Iowa office is established in  
8 the department to provide leadership for facilitation,  
9 communication, and coordination for the early childhood  
10 Iowa initiative activities and funding and for  
11 improvement of the early care, education, health,  
12 and human services systems. An administrator for the  
13 early childhood Iowa office shall be appointed by the  
14 director of the department. Other staff may also be  
15 designated, subject to appropriation made for this  
16 purpose.>

17 15. Page 40, line 22, by striking <center> and  
18 inserting <office>

19 16. Page 40, line 26, by striking <center> and  
20 inserting <office>

21 17. Page 40, line 28, by striking <center> and  
22 inserting <office>

23 18. Page 41, line 8, by striking <center> and  
24 inserting <office>

25 19. Page 42, line 2, by striking <A majority of  
26 the> and inserting <The>

27 20. Page 42, by striking lines 41 through 44 and  
28 inserting:

29 <a. Designate a public agency of this state, as  
30 defined in section 28E.2, a community action agency  
31 as defined in section 216A.91, an area education  
32 agency established under section 273.2, or a nonprofit  
33 corporation, to be the fiscal agent for grant moneys  
34 and for other moneys administered by the area board.>

35 21. Page 44, line 48, after <visitation.> by  
36 inserting <Of the funding from all sources that an area  
37 board designates for family support programs, at least  
38 sixty percent shall be committed to programs with a  
39 home visitation component.>

40 22. Page 45, line 20, by striking <may request> and  
41 inserting <shall require>

42 23. Page 45, lines 38 and 39, by striking <evaluate  
43 the funding flexibility> and inserting <funding  
44 amounts>

45 24. Page 45, line 43, by striking <Experience or  
46 other evidence> and inserting <Evidence>

47 25. Page 46, line 29, after <use.> by inserting  
48 <The information shall include data from the indicators  
49 of success and performance measures adopted by the  
50 state board and fiscal information and other data

1 developed by the department.>  
2 26. Page 47, line 6, after <account> by inserting  
3 <are appropriated to and>  
4 27. Page 47, line 11, by striking <five> and  
5 inserting <three>  
6 28. Page 47, line 16, by striking <management> and  
7 inserting <human services>  
8 29. Page 47, by striking lines 17 through 19 and  
9 inserting <credited to the account are appropriated to  
10 and shall be distributed by the department of human  
11 services>  
12 30. Page 47, line 40, by striking <early childhood  
13 coordination center> and inserting <department of human  
14 services>  
15 31. Page 48, after line 25 by inserting:  
16 <Sec. \_\_\_\_\_. NEW SECTION. 256I.12 Early childhood  
17 stakeholders alliance.  
18 1. Alliance created. An early childhood  
19 stakeholders alliance is created to support the  
20 state board in addressing the early care, health,  
21 and education systems that affect children ages zero  
22 through five in Iowa.  
23 2. Purpose. The purpose of the early childhood  
24 stakeholders alliance is to oversee and provide broad  
25 input into the development of a high quality Iowa early  
26 childhood system that meets the needs of children zero  
27 through age five and their families and integrates  
28 the early care, health, and education systems. The  
29 alliance shall advise the governor, general assembly,  
30 state board, and other public and private policy bodies  
31 and service providers in coordinating activities  
32 throughout the state to fulfill its purpose.  
33 3. Vision statement. All system development  
34 activities addressed by the early childhood  
35 stakeholders alliance shall be aligned around the  
36 following vision statement for the children of  
37 Iowa: "Every child, beginning at birth, will be  
38 healthy and successful."  
39 4. Membership. The early childhood stakeholders  
40 alliance membership shall include a representative  
41 of any organization that touches the lives of young  
42 children in the state zero through age five, has  
43 endorsed the purpose and vision statement for the  
44 alliance, has endorsed the guiding principles adopted  
45 by the alliance for the early childhood system, and  
46 has formally asked to be a member and remains actively  
47 engaged in alliance activities. The alliance shall  
48 work to ensure there is geographic, cultural, and  
49 ethnic diversity among the membership.  
50 5. Procedure. Except as otherwise provided by

1 law, the early childhood stakeholders alliance shall  
2 determine its own rules of procedure and operating  
3 provisions.

4 6. Steering committee. The early childhood  
5 stakeholders alliance shall operate with a steering  
6 committee to organize, manage, and coordinate the  
7 activities of the alliance and its component groups.  
8 The steering committee may act on behalf of the  
9 alliance as necessary. The steering committee  
10 membership shall consist of the co-chairpersons of  
11 the alliance's component groups, the administrator of  
12 the early childhood Iowa office, and other leaders  
13 designated by the alliance.

14 7. Component groups. The early childhood  
15 stakeholders alliance shall maintain component groups  
16 to address the key components of the Iowa early  
17 childhood system. Each component group shall have one  
18 private and one public agency co-chairperson. The  
19 alliance may change the component groups as deemed  
20 necessary by the alliance. Initially, there shall be a  
21 component group for each of the following:

- 22 a. Governance planning and administration.
- 23 b. Professional development.
- 24 c. Public engagement.
- 25 d. Quality services and programs.
- 26 e. Resources and funding.
- 27 f. Results accountability.

28 8. Duties. The early childhood stakeholders  
29 alliance duties shall include but are not limited to  
30 all of the following regarding the Iowa early childhood  
31 system:

32 a. Coordinate with the early childhood Iowa state  
33 board.

34 b. Serve as the state advisory council required  
35 under the federal Improving Head Start for School  
36 Readiness Act of 2007, Pub. L. No. 110-134, as  
37 designated by the governor.

38 9. Staffing. Staff support for the early childhood  
39 stakeholders alliance shall be provided by the  
40 department.>

41 32. By striking page 49, line 34, through page 53,  
42 line 14.

43 33. Page 53, line 38, by striking <coordination  
44 center> and inserting <Iowa office>

45 34. Page 54, line 32, by striking <coordination  
46 center> and inserting <Iowa office>

47 35. Page 55, lines 14 and 15, by striking  
48 <coordination center> and inserting <Iowa office>

49 36. Page 56, line 41, by striking <coordination  
50 center> and inserting <Iowa office>

1 c 37. Page 56, line 48, by striking <coordination  
2 enter> and inserting <Iowa office>

3 38. Page 57, line 28, by striking <Chapter> and  
4 inserting:

5 <1. Sections 135.173 and 135.174, Code 2009, are  
6 repealed.

7 2. Chapter>

8 39. Page 58, after line 15 by inserting:

9 <4. The department of management and the early  
10 childhood Iowa board shall implement requirements  
11 for school ready children grant funds or other state,  
12 federal, or other funds in possession of a community  
13 empowerment area remaining unobligated or unexpended to  
14 be remitted to the successor early childhood Iowa area  
15 board designated to serve that area. The requirements  
16 shall include measures to ensure there is continuity  
17 of services in the transition from the community  
18 empowerment initiative to the early childhood Iowa  
19 initiative.>

20 40. By striking page 58, line 19, through page 59,  
21 line 42, and inserting:

22 <Sec. \_\_\_\_\_. DEPARTMENT OF EDUCATION -- COMMUNITY  
23 COLLEGE ACCREDITATION RECOMMENDATIONS IMPLEMENTATION  
24 REVIEW. The department of education shall review and  
25 evaluate the implementation of the recommendations  
26 submitted on January 22, 2010, by the community college  
27 accreditation advisory committee in its final report to  
28 the general assembly. The department shall submit its  
29 findings and recommendations to the general assembly on  
30 or before December 31, 2010.

31 Sec. \_\_\_\_\_. DEPARTMENT OF EDUCATION -- COMMUNITY  
32 COLLEGE ACCREDITATION ADVISORY COMMITTEE --  
33 INSTRUCTIONAL HOURS STUDY. The department of education  
34 shall convene a working group, whose members shall  
35 include at a minimum the members of the community  
36 college accreditation advisory committee and the  
37 community college faculty advisory committee. The  
38 working group shall solicit comments from each of the  
39 community college quality faculty committees. The  
40 working group shall study the maximum academic credit  
41 hour per school term workload appropriate for an  
42 instructor beyond the standard workload. The working  
43 group shall submit its findings and recommendations to  
44 the state board of education and the general assembly  
45 on or before December 31, 2010.

46 Sec. \_\_\_\_\_. COMMUNITY COLLEGE ACADEMIC WORKLOAD  
47 EXCEPTION -- FISCAL YEAR 2010-2011. Notwithstanding  
48 section 260C.48, subsection 2, a faculty member who  
49 has in previous fiscal years exceeded the eighteen  
50 credit hour standard set pursuant to section 260C.48,

1 subsection 2, may continue to exceed the eighteen  
2 credit hour workload standard for the 2010-2011 fiscal  
3 year if the faculty member elects to teach beyond the  
4 eighteen credit hour workload standard.>

5 41. Page 90, after line 30 by inserting:

6 <\_\_\_\_. Page 251, line 6, by striking <October> and  
7 inserting <July>

8 \_\_\_\_\_. Page 251, line 6, after <and> by inserting <by  
9 January 1, 2011,>

10 \_\_\_\_\_. Page 251, after line 10 by inserting:

11 <Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. The section  
12 of this division of this Act concerning correctional  
13 facility closure, being deemed of immediate importance,  
14 takes effect upon enactment. >>

15 42. By renumbering as necessary.

RECEIVED FROM THE SENATE



H-8283

1 Amend Senate File 2150, as passed by the Senate, as  
2 follows:

3 1. Page 1, before line 1 by inserting:

4 <Section 1. Section 321.178, subsection 2,  
5 paragraph a, Code 2009, is amended to read as follows:

6 a. (1) A person between sixteen and eighteen  
7 years of age who has completed an approved driver's  
8 education course and is not in attendance at school  
9 and has not met the requirements described in section  
10 299.2, subsection 1, may be issued a restricted license  
11 only for travel to and from work or to transport  
12 dependents to and from temporary care facilities,  
13 if necessary for the person to maintain the person's  
14 present employment. The restricted license shall be  
15 issued by the department only upon confirmation of the  
16 person's employment and need for a restricted license  
17 to travel to and from work or to transport dependents  
18 to and from temporary care facilities if necessary to  
19 maintain the person's employment. The employer shall  
20 notify the department if the employment of the person  
21 is terminated before the person attains the age of  
22 eighteen.

23 (2) A person issued a restricted license under  
24 this section shall not use an electronic communication  
25 device or an electronic entertainment device, other  
26 than a radio installed in the motor vehicle, while  
27 driving a motor vehicle unless the motor vehicle is at  
28 a complete stop off the roadway.>

29 2. Page 3, after line 9 by inserting:

30 <Sec. \_\_\_\_\_. Section 321.180B, Code Supplement 2009,  
31 is amended by adding the following new subsection:

32 NEW SUBSECTION. 6A. A person issued an instruction  
33 permit or intermediate driver's license under this  
34 section shall not use an electronic communication  
35 device or an electronic entertainment device, other  
36 than a radio installed in the motor vehicle, while  
37 driving a motor vehicle unless the motor vehicle is at  
38 a complete stop off the roadway.>

39 3. Page 3, line 11, by striking <paragraph:> and  
40 inserting <paragraphs:>

41 4. Page 3, line 12, by striking <Ob.> and inserting  
42 c.>

43 5. Page 3, after line 20 by inserting:

44 <NEW PARAGRAPH. d. A person issued a driver's  
45 license under this section shall not use an electronic  
46 communication device or an electronic entertainment  
47 device, other than a radio installed in the motor  
48 vehicle, while driving a motor vehicle unless the motor  
49 vehicle is at a complete stop off the roadway.

50 Sec. \_\_\_\_\_. NEW SECTION. 321.238 Use of electronic

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1 devices while driving -- preemption of local  
2 legislation.

3 The provisions of sections 321.178, 321.180B, and  
4 321.194 restricting the use of electronic communication  
5 devices and electronic entertainment devices by certain  
6 motor vehicle operators shall be implemented uniformly  
7 throughout the state. Such provisions shall preempt  
8 any county or municipal ordinance regarding the use  
9 of an electronic communication device or electronic  
10 entertainment device by a motor vehicle operator. In  
11 addition, a county or municipality shall not adopt  
12 or continue in effect an ordinance regarding the use  
13 of an electronic communication device or electronic  
14 entertainment device by a motor vehicle operator.>

15 6. Title page, lines 1 and 2, by striking  
16 <licenses> and inserting <licenses, minor's restricted  
17 licenses,>

18 7. Title page, line 2, by striking <licenses,  
19 making a penalty> and inserting <licenses and to the  
20 use of certain electronic devices by motor vehicle  
21 operators, making penalties>

22 8. By renumbering as necessary.

**By** RAECKER of Polk

SENATE FILE 2150

H-8290

1 Amend the amendment, H-8283, to Senate File 2150, as  
2 passed by the Senate, as follows:

3 1. By striking page 1, line 3, through page 2, line  
4 22, and inserting:

5 <1. Page 1, before line 1 by inserting:

6 <Section 1. Section 321.178, subsection 2,  
7 paragraph a, Code 2009, is amended to read as follows:

8 a. (1) A person between sixteen and eighteen  
9 years of age who has completed an approved driver's  
10 education course and is not in attendance at school  
11 and has not met the requirements described in section  
12 299.2, subsection 1, may be issued a restricted license  
13 only for travel to and from work or to transport  
14 dependents to and from temporary care facilities,  
15 if necessary for the person to maintain the person's  
16 present employment. The restricted license shall be  
17 issued by the department only upon confirmation of the  
18 person's employment and need for a restricted license  
19 to travel to and from work or to transport dependents  
20 to and from temporary care facilities if necessary to  
21 maintain the person's employment. The employer shall  
22 notify the department if the employment of the person  
23 is terminated before the person attains the age of  
24 eighteen.

25 (2) A person issued a restricted license under  
26 this section shall not use an electronic communication  
27 device or an electronic entertainment device while  
28 driving a motor vehicle unless the motor vehicle is at  
29 a complete stop off the roadway. This subparagraph  
30 does not apply to the use of electronic equipment which  
31 is permanently installed in the motor vehicle or to a  
32 portable device which is operated through permanently  
33 installed equipment.>

34 2. Page 3, after line 9 by inserting:

35 <Sec. \_\_\_\_\_. Section 321.180B, Code Supplement 2009,  
36 is amended by adding the following new subsection:

37 NEW SUBSECTION. 6A. A person issued an instruction  
38 permit or intermediate driver's license under this  
39 section shall not use an electronic communication  
40 device or an electronic entertainment device while  
41 driving a motor vehicle unless the motor vehicle is  
42 at a complete stop off the roadway. This subsection  
43 does not apply to the use of electronic equipment which  
44 is permanently installed in the motor vehicle or to a  
45 portable device which is operated through permanently  
46 installed equipment.>

47 3. Page 3, line 11, by striking <paragraph:> and  
48 inserting <paragraphs:>

49 4. Page 3, line 12, by striking <Ob.> and inserting  
50 c.>

H-8290

1 5. Page 3, after line 20 by inserting:  
2 <NEW PARAGRAPH. d. A person issued a driver's  
3 license under this section shall not use an electronic  
4 communication device or an electronic entertainment  
5 device while driving a motor vehicle unless the motor  
6 vehicle is at a complete stop off the roadway. This  
7 paragraph does not apply to the use of electronic  
8 equipment which is permanently installed in the motor  
9 vehicle or to a portable device which is operated  
10 through permanently installed equipment.  
11 Sec. \_\_\_\_\_. NEW SECTION. 321.238 Use of electronic  
12 devices while driving -- preemption of local  
13 legislation.  
14 The provisions of sections 321.178, 321.180B, and  
15 321.194 restricting the use of electronic communication  
16 devices and electronic entertainment devices by certain  
17 motor vehicle operators shall be implemented uniformly  
18 throughout the state. Such provisions shall preempt  
19 any county or municipal ordinance regarding the use  
20 of an electronic communication device or electronic  
21 entertainment device by a motor vehicle operator. In  
22 addition, a county or municipality shall not adopt  
23 or continue in effect an ordinance regarding the use  
24 of an electronic communication device or electronic  
25 entertainment device by a motor vehicle operator.>  
26 6. Title page, lines 1 and 2, by striking  
27 <licenses> and inserting <licenses, minor's restricted  
28 licenses,>  
29 7. Title page, line 2, by striking <licenses,  
30 making a penalty> and inserting <licenses and to the  
31 use of certain electronic devices by motor vehicle  
32 operators, making penalties>  
33 8. By renumbering as necessary.>

By RAECKER of Polk

H-8290 FILED MARCH 1, 2010

SENATE FILE 2156

H-8293

1 Amend Senate File 2156, as passed by the Senate, as  
2 follows:  
3 1. Page 5, by striking lines 12 and 13 and  
4 inserting <All premiums shall be paid on the last day  
5 of the month of coverage. The department shall deduct  
6 the>

COMMITTEE ON HUMAN RESOURCES  
SMITH of Marshall, Chairperson

H-8293 FILED MARCH 1, 2010

SENATE FILE 2243

H-8299

1 Amend Senate File 2243, as passed by the Senate, as  
2 follows:

3 1. Page 3, after line 1 by inserting:

4 <Sec. \_\_\_\_\_. DEER LICENSE STUDY.

5 1. The legislative services agency shall prepare a  
6 study to determine the economic impact of increasing  
7 the number of antlered and antlerless deer hunting  
8 licenses available for sale to nonresidents who own  
9 Iowa farmland.

10 2. To the extent practicable, the study shall  
11 estimate the potential revenue to the state by  
12 increasing the number of such licenses and shall  
13 estimate the impact on the deer population.

14 3. The legislative services agency shall submit  
15 the results of the study to the legislative council by  
16 January 1, 2011.>

17 2. By renumbering as necessary.

By PETTENGILL of Benton  
HANSON of Jefferson

H-8299 FILED MARCH 1, 2010

H-8291

1 Amend Senate File 2254, as passed by the Senate, as  
2 follows:

3 1. Page 1, after line 24 by inserting:

4 <Sec. \_\_\_\_\_. Section 331.552, subsections 34, 35, and  
5 36, Code 2009, are amended to read as follows:

6 34. Destroy tax sale redemption certificates and  
7 all associated tax sale records after ten years have  
8 elapsed from the end of the fiscal year in which the  
9 certificate was redeemed. If a tax sale certificate  
10 of purchase is cancelled as required by section 446.37  
11 or 448.1, all associated tax sale records shall be  
12 destroyed after ten years have elapsed from the end  
13 of the fiscal year in which the tax sale certificate  
14 of purchase was cancelled. This subsection applies  
15 to documents described in this subsection that are in  
16 existence before, on, or after July 1, 2003.

17 35. Destroy special assessment records required  
18 by section 445.11 within the county system after ten  
19 years have elapsed from the end of the fiscal year in  
20 which the special assessment was paid in full. The  
21 county treasurer shall also destroy the resolution of  
22 necessity, plat, and schedule of assessments required  
23 by section 384.51 after ten years have elapsed from the  
24 end of the fiscal year in which the entire schedule was  
25 paid in full. This subsection applies to documents  
26 described in this subsection that are in existence  
27 before, on, or after July 1, 2003.

28 36. Destroy mobile home and manufactured home tax  
29 lists after ten years have elapsed from the end of  
30 the fiscal year in which the list was created. This  
31 subsection applies to mobile home and manufactured home  
32 tax lists and associated documents in existence before,  
33 on, or after July 1, 2003.

34 Sec. \_\_\_\_\_. Section 331.559, subsections 15 and 20,  
35 Code 2009, are amended to read as follows:

36 15. Maintain a suspended tax list book as provided  
37 in section 427.12. After ten years from the date of  
38 payment, abatement, or cancellation of a suspended  
39 tax, special assessment, rate, or charge, the county  
40 treasurer may dispose of the official record of the  
41 suspended tax, special assessment, rate, or charge.  
42 This subsection applies to official records and  
43 associated documents in existence before, on, or after  
44 July 1, 2003.

45 20. Carry out duties relating to the preparation  
46 and correction of the tax list as provided in chapter  
47 443. After ten years from the date of receipt, the  
48 county treasurer may dispose of the tax list delivered  
49 to the county treasurer pursuant to chapter 443.  
50 This subsection applies to tax lists and associated

H-8291



H-8291

Page 2

- 1 documents in existence before, on, or after July 1,
- 2 2003.>
- 3 2. Title page, line 3, after <districts> by
- 4 inserting <and to keep certain records>
- 5 3. By renumbering as necessary.

COMMITTEE ON LOCAL GOVERNMENT  
GASKILL of Wapello, Chairperson

H-8291 FILED MARCH 1, 2010

SENATE FILE 2286

H-8277

- 1 Amend Senate File 2286, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking lines 5 and 6 and inserting
- 4 <is open to the public and an admission fee is charged,
- 5 a donation is requested from those in attendance,
- 6 or merchandise or refreshments are available for
- 7 purchase.>

COMMITTEE ON LABOR  
R. OLSON of Polk, Chairperson

H-8277 FILED MARCH 1, 2010

SENATE FILE 2288

H-8296

- 1 Amend Senate File 2288, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 4, after line 14 by inserting:
- 4 <Sec. \_\_\_\_\_. Section 256.11, subsection 9, Code
- 5 Supplement 2009, is amended to read as follows:
- 6 9. ~~Beginning July 1, 2006, each~~ Each school
- 7 district shall have a qualified teacher librarian
- 8 who shall be licensed by the board of educational
- 9 examiners under chapter 272. The state board shall
- 10 establish in rule a definition of and standards for
- 11 an articulated sequential kindergarten through grade
- 12 twelve media program. A school district that entered
- 13 into a contract with an individual for employment as a
- 14 media specialist or librarian prior to June 1, 2006,
- 15 shall be considered to be in compliance with this
- 16 subsection until June 30, 2011, if the individual is
- 17 making annual progress toward meeting the requirements
- 18 for a teacher librarian endorsement issued by the
- 19 board of educational examiners under chapter 272. A
- 20 school district that entered into a contract with an
- 21 individual for employment as a media specialist or
- 22 librarian who holds at least a master's degree in
- 23 library and information studies shall be considered
- 24 to be in compliance with this subsection until the
- 25 individual leaves the employ of the school district. A
- 26 school district may retain within its library program
- 27 library books regardless of their age.>
- 28 2. By renumbering as necessary.

By COWNIE of Polk

H-8296 FILED MARCH 1, 2010

SENATE FILE 2310

H-8287

1 Amend Senate File 2310, as passed by the Senate, as  
2 follows:

3 1. Page 3, by striking line 2 and inserting <of  
4 trust fund moneys distributed to the Iowa resources  
5 enhancement and protection fund or any one account  
6 established>

7 2. Page 3, by striking lines 10 through 13.

8 3. Page 3, line 14, by striking <2.> and inserting  
9 <1.>

10 4. Page 3, line 19, by striking <3.> and inserting  
11 <2.>

12 5. By striking page 4, line 35, through page 5,  
13 line 2, and inserting:

14 <a. The establishment, maintenance, restoration,  
15 improvement, or enhancement of state parks, state  
16 preserves, state forests, wildlife areas, wildlife  
17 habitats, native prairies, and wetlands.>

18 6. By renumbering as necessary.

**By** BELL of Jasper

H-8287 FILED MARCH 1, 2010

## Fiscal Note

*Fiscal Services Division*



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**HF 2382** – Choice of Doctor for Police and Firefighter (LSB 5128HV)  
Analyst: Ron Robinson (Phone: 515-281-6256) (ron.robinson@legis.state.ia.us)  
Fiscal Note Version – New

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### **Description**

**House File 2382** provides that members of the Municipal Police and Fire Retirement System receiving hospital, nursing, and medical attention, for injuries received while performing their police or fire duties have the right to choose medical care.

### **Background**

Currently in Iowa, the employer is permitted to control the course of treatment for injured workers and may establish provider networks with fee schedules.

There are 49 cities covered by the Municipal Police and Fire Retirement System. Those cities are; Ames, Ankeny, Bettendorf, Boone, Burlington, Camanche, Carroll, Cedar Falls, Cedar Rapids, Centerville, Charles City, Clinton, Clive, Council Bluffs, Creston, Davenport, Decorah, Des Moines, DeWitt, Dubuque, Estherville, Evansdale, Fairfield, Fort Dodge, Fort Madison, Grinnell, Indianola, Iowa City, Keokuk, Knoxville, Le Mars, Maquoketa, Marion, Marshalltown, Mason City, Muscatine, Newton, Oelwein, Oskaloosa, Ottumwa, Pella, Sioux City, Spencer, Storm Lake, Urbandale, Waterloo, Waverly, Webster City, and West Des Moines.

Cities are required to provide hospital, nursing, and medical attention for the members of the police and fire departments of the cities, when injured while in the performance of their job duties. Cities are permitted to fund the cost of required care through the purchase of insurance, by self-insuring the obligation, or through payment of moneys into a local government risk pool established for the purpose of covering the costs. The cost of the care can not be funded through an employee-paid health insurance policy. The cost of the care is to be paid from moneys held in a trust and agency fund or appropriated to the affected employer.

### **Fiscal Impact**

This Bill will have an unknown fiscal impact on the expenses for the 49 cities. There is insufficient information to determine the impact the legislation would have on the choice of medical care.

### **Sources**

Iowa Department of Workforce Development  
National Council on Compensation Insurance, Inc. (NCCI)  
Bureau of Labor Statistics  
Iowa League of Cities  
Iowa Municipalities Workers' Compensation Association (IMWCA)  
Cities of Ames, Camanche, Charles City, Clinton, Knoxville, and Marshalltown

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/s/ Holly M. Lyons

March 1, 2010

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The fiscal note for this bill was prepared pursuant to **Joint Rule 17**. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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# Fiscal Note

*Fiscal Services Division*



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**HF 2483** – Probate Code/Trust Code Amendments (LSB 5186HV)  
Analyst: Jess Benson (Phone: 515-281-4611) (jess.benson@legis.state.ia.us)  
Fiscal Note Version – New

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## **Description**

**House File 2483** relates to trusts and estates including provisions relating to State inheritance tax, uniform transfers to minors, and medical assistance claims.

## **Background**

This Bill has two changes that have a fiscal impact. These include:

- Increases the monthly payment a trustee can receive from a trust from \$10 to \$50. The Department of Human Services (DHS) often receives the balance of these trusts to reimburse Medicaid once a recipient is deceased.
- Increases the income limit for Medical Assistance Income Trusts from the statewide average cost of a nursing facility to the private pay rate. This provision is used to determine Medicaid eligibility for those individuals that have such trusts.

## **Assumptions**

### **Monthly Payment for a Trustee**

- The monthly trustee payment will increase from \$10 to \$50. The \$10 monthly payment is currently not being utilized because the payment is minimal.
- Increasing the payment reduces the balance of each trust by \$600 per year and will impact 90 trusts. It is anticipated that half (45) of the trustees will take advantage of the \$50 monthly payment.
- Due to fewer funds available in the Trust, there will be a State savings of \$1,000 due to smaller fee payments to estate recovery contractors.

### **Income Changes for Medical Assistance Income Trusts**

- Income limits for individuals with a Medical Assistance Income Trust will increase from the statewide average cost of a nursing facility to the actual cost of a private pay bed.
- The change in income limits will increase the number of individuals eligible for Medicaid by 61.
- Approximately 10 of the additional 61 eligible individuals will be married couples that can divert \$12,000 annually from a trust to their spouse.
- The average State cost for an elderly enrollee is \$2,100 for FY 2011 and \$2,500 for FY 2012.

## **Fiscal Impact**

This Bill is estimated to cost the General Fund \$174,800 in FY 2011 and \$200,200 in FY 2012. This includes \$7,700 in FY 2011 and \$9,100 in FY 2012 for increasing the payment for a trustee and \$167,000 in FY 2011 and \$191,100 in FY 2012 to change the income limits for individuals with trusts to the private pay rate of the individual facility.

## **Source**

Department of Human Services

/s/ Holly M. Lyons

February 25, 2010

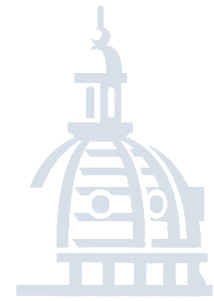
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The fiscal note for this Bill was prepared pursuant to **Joint Rule 17**. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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## Fiscal Note

*Fiscal Services Division*



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**HF 2445** – Nursing Workforce Initiatives (LSB 5253HV)

Analyst: Ron Robinson (Phone: 515-281-6256) (ron.robinson@legis.state.ia.us)

Fiscal Note Version – New

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### **Description**

**House File 2445** includes provisions relating to the nursing workforce.

The Bill directs the Iowa Department of Workforce Development (IWD) to establish a Nursing Workforce Data Clearinghouse for the purpose of collecting and maintaining data from all available and appropriate sources regarding Iowa's nursing workforce. The IWD is to have access to all data regarding Iowa's nursing workforce collected or maintained by any State department or agency to support the data clearinghouse and the information maintained in the Nursing Workforce Data Clearinghouse is to be available to any State department or agency. The Bill directs the IWD to consult with the Board of Nursing, the Department of Public Health (DPH), the Department of Education, and other appropriate entities in developing recommendations to determine options for additional data collection. The Bill provides rulemaking authority to the IWD, in consultation with the Board of Nursing, to administer the data clearinghouse and directs a Nursing Workforce Data Clearinghouse to be established and maintained in a manner consistent with the health care delivery infrastructure and Health Care Workforce Resources Strategic Plan developed by DPH.

The Bill requires the IWD to submit an annual report to the Governor and the General Assembly regarding the Nursing Workforce Data Clearinghouse and, following its establishment, the status of the nursing workforce in Iowa.

The Bill changes the name of the Nursing Workforce Shortage Initiative within the Health Care Workforce Support Initiative to the Iowa Needs Nurses Now Initiative and makes a similar change to the name of the account for the Initiative. The Bill also requires the College Student Aid Commission, currently in control of the Iowa Needs Nurses Now Initiative, to consult with the Iowa Board of Nursing, the Department of Education, and the Iowa Nurses Association in adopting rules and distributing funds.

The Bill also adds two accounts to the Health Care Workforce Shortage Fund:

- The Iowa Needs Nurses Now Infrastructure Account under the control of DPH to provide grants for clinical simulators, laboratory facilities, health information technology, and other infrastructure to improve the training of nurses and nurse educators in the State and to enhance the clinical experience for nurses.
- The Nurse Residency Training State Matching Grants Program Account under the control of DPH to provide matching State funding to sponsors of nurse residency programs in Iowa to establish, expand, or support nurse residency training programs that meet standards adopted by rule of DPH. The Bill also specifies the parameters of the Grant Program.

The Bill adds a Nurse Educator Scholarship Program as one of the components of the Iowa Needs Nurses Now Initiative with the goal of addressing the waiting list of qualified applicants to Iowa's nursing schools by providing incentives for the training of additional nursing educators. The Bill specifies the parameters of the Scholarship Program.

The Bill also provides that implementation is subject to the extent of funding available.

## **Background**

The Health Care Workforce Shortage Fund was created during the 2009 Legislative Session by [SF 389](#) (Health Care Omnibus II Act). The Fund was created in the State Treasury as a separate fund under the control of the DPH. The Fund is set to be repealed effective June 30, 2014. The Fund and the accounts within the Fund consist of any moneys appropriated from the General Fund of the State for the purposes of the Fund or the accounts within the Fund; moneys received from the federal government for the purposes of addressing the health care workforce shortage; contributions, grants, and other moneys from communities and health care employers; and moneys from any other public or private source available. Administrative costs are limited to 5.0% of the balance of each account, to a maximum of \$100,000 per account.

## **Fiscal Impact**

The Bill does not specify a funding source and provides that the Bill will only be implemented to the extent funding is available.

The IWD is directed to develop a Nursing Workforce Data Clearinghouse. The estimated cost for doing this, should funds be available, is 1.0 FTE position and \$90,000 for FY 2011, and 1.0 FTE position and \$65,000 for each year thereafter.

The DPH would expend, should funds be available, an estimated 1.0 FTE position and \$134,000 for FY 2011, and 1.0 FTE position and \$103,000 for each year thereafter, to administer the Iowa Needs Nurses Now Infrastructure Account and the Nurse Residency Training State Matching Grants Program Account. Administrative costs are to be limited to 5.0% of the balance of each account, to a maximum of \$100,000 per account.

The College Student Aid Commission would be responsible for the Nurse Educator Scholarship Program at an estimated annual cost beginning with FY 2011, should funds be available, of 0.5 FTE position and \$50,000.

The table below summarizes the fiscal impact of the Bill:

<b>Summary of Fiscal Impact</b> (to the extent funding is available)				
<b>Department</b>	<b>Fund</b>	<b>FY 2011</b>	<b>FY 2012</b>	<b>FTE</b>
IWD	Not specified	\$ 90,000	\$ 65,000	1.00
DPH	Not specified	134,000	103,000	1.00
College Student Aid	Not specified	50,000	50,000	0.50
<b>Total Estimated Expenditures</b>		<u>\$ 274,000</u>	<u>\$ 218,000</u>	<u>2.50</u>

## **Sources**

Department of Workforce Development  
Department of Education  
Department of Public Health  
College Student Aid Commission

/s/ Holly M. Lyons

March 1, 2010

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The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#). Data used in developing this fiscal note, is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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## Fiscal Note

*Fiscal Services Division*



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**HF 2481** – Natural Resources Department Conservation and Recreation (LSB 5362HV)  
Analyst: Debra Kozel (Phone: 515-281-6767) (deb.kozel@legis.state.ia.us)  
Fiscal Note Version – New

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### **Description**

**House File 2481** makes several policy changes to the Conservation and Recreation Division in the Department of Natural Resources (DNR).

### **Background**

The provisions of this Bill with a fiscal impact include:

- Fee changes for issuance of duplicate all terrain vehicle (ATV) or snowmobile dealer registrations and decals are increased from \$2 to \$5.
- Strikes dog trial fees and includes them as special events. The dog trial fee was \$2 and a special event fee is \$25.
- Allows the DNR to regulate the baiting and feeding of wildlife.
- Allows the State Forest Nursery to sell seedling stock to other states. Revenue from sales of nursery stock are deposited into the Land and Conservation Fund and used for operations at the State Forest Nursery located in Ames.

### **Assumptions**

**Correctional Information:** The changes in the Bill are new or administrative and there is no comparable data to estimate the correctional impact. In FY 2009, there were 110 violations for snowmobiles and 459 for ATVs, however the majority of convictions were for traveling on highways.

### **Fiscal Information**

- The cost to the DNR to issue a duplicate ATV or snowmobile dealer registration or decal is \$5 and the Department currently charges \$2. The DNR estimates they issue 500 duplicate dealer registrations or decals. This change will increase revenue to the Fish and Game Protection Fund by \$1,500 annually beginning in FY 2011.
- The DNR reported there were 683 dog trials held in FY 2009. The DNR estimates there will be 700 dog trial special events in FY 2011. This change will increase revenue to the Fish and Game Protection Fund by \$16,100 annually beginning in FY 2011.
- The regulation of baiting and feeding wildlife may reduce wildlife feed sales in Iowa, however, this amount could not be estimated.
- The DNR estimates selling one million additional seedlings at 50 cents each, but not until FY 2012, due to the adoption of Administrative Rules. The DNR estimates additional revenue to the Land and Conservation Fund of \$500,000 annually beginning in FY 2012.

### **Summary of Impacts**

**Correctional Impact:** The correctional impact is expected to be minimal.

**Fiscal Impact:** This Bill is estimated to increase revenue to the Fish and Game Protection Fund by \$18,000 annually beginning in FY 2011 and increase revenue to the Land and Conservation Fund by \$500,000 annually beginning in FY 2012.



**Sources**

Department of Natural Resources  
Department of Human Rights (CJJP)

/s/ Holly M. Lyons

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March 1, 2010

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The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the correctional and minority impact statements were prepared pursuant to [Section 2.56](#), Code of Iowa. Data used in developing this fiscal note, including correctional and minority impact information, is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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# Fiscal Note

*Fiscal Services Division*



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**SF 2343** – Judicial Officers (LSB 5397SV.1)

Analyst: Jennifer Acton (Phone: 515-281-7846) (jennifer.acton@legis.state.ia.us)

Fiscal Note Version – As amended and passed by the Senate

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## **Description**

**Senate File 2343** relates to the appointment of judicial officers and senior judges. Both the delay in filling judicial officer positions and the apportionment sections are repealed as of July 1, 2013.

## **Background**

**Senate File 478** (FY 2010 Standing Appropriations Act) enacted language to permit the Chief Justice to delay, for up to 180 days for budgetary reasons, the nominating process for any Supreme Court Justice, Court of Appeals Judge, District Court Judge, District Associate Judge, or Associate Juvenile or Probate Judge office that becomes vacant between May 22, 2009, to June 30, 2010.

This Bill creates a new Code section (Section 602.2301) granting the Chief Justice the authority to delay the nomination of a Supreme Court Justice, Court of Appeals Judge, District Judge, District Associate Judge, Associate Juvenile Judge, or Associate Probate Judge. The authority is repealed on July 1, 2013.

## **Assumptions**

- There are currently seven Supreme Court Justices, nine Court of Appeals Judges, and 189 full-time judges (116 District Court Judges, 60 District Associate Judges, 12 Associate Juvenile Judges, and one Associate Probate Judge). Of the 189, there are currently 11 vacant judgeships in the Judicial Branch. The current unfilled judicial vacancies are one in the Court of Appeals, seven District Court Judgeships in Districts 2B, 4, 5A, 6, and 8A, and three District Associate/Juvenile Judgeships in Districts 5C and 6.
- The average number of annual judicial officer vacancies in the Judicial Branch is four to six.
- The total salary and benefits for a District Court Judge is \$208,000.
- The total salary and benefits for a District Associate Judge is \$187,000.
- The apportionment section of the Bill allows the Judicial Branch to reallocate judicial officer resources across judicial election district boundaries to the areas where they are most needed.

## **Fiscal Impact**

The cost savings in FY 2011 to the Judicial Branch from delaying the filling of vacant appointments could be significant, depending on the judicial officer position that is vacant and the length of time the position is vacant. For example, if two District Court Judge positions and two District Associate Judge positions were held open 180 days, the savings would be approximately \$389,000.

## **Source:**

Judicial Branch

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/s/ Holly M. Lyons

March 1, 2010

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The fiscal note for this bill was prepared pursuant to **Joint Rule 17**. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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